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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1362 OF 2007
IN
APPEAL NO. 835 OF 2006
IN
NOTICE OF MOTION NO. 1061 OF 2006
IN
SUIT NO. 744 OF 2003

Mahabal L.Shetty .. Appellant.

V/s.

Mrs.Shakila Ansari & Ors. .. Respondents.

Mr.Manoj Prajapati i/b.Ashoka Law Firm for the Appellant.
Ms.Arti Thambi i/b.Viraj Maniar for Respondent Nos.1.
Mr.D.A.Nalawade, AGP for Respondent No.4.

CORAM : DR.S.RADHAKRISHNAN AND
ANOOP V.MOHTA, JJ.

DATE : 4th DECEMBER, 2007.

P.C. :-

. Heard learned Counsel for the Appellant and the learned Counsel for Respondent No.1 and the learned AGP for Respondent no.4. None appears for Respondent Nos. 2 and 3. Perused the Notice of Motion and affidavit in

support thereof. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out for recalling the order dated 21st March, 2007. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the notice of motion is made absolute in terms of prayer clause (a).

2. Place the above appeal on board for final hearing on 14th January, 2008.

(ANOOP V. MOHTA, J.) **(DR.S.RADHAKRISHNAN, J.)**